

FACT SHEET FOR NPDES PERMIT WA0040363
NISBET OYSTER CO., INC.

TABLE OF CONTENTS

INTRODUCTION	1
BACKGROUND INFORMATION	2
DESCRIPTION OF THE FACILITY	2
History	2
Industrial Process	2
Discharge Outfall	2
PERMIT STATUS	2
SUMMARY OF COMPLIANCE WITH THE PREVIOUS PERMIT	2
WASTEWATER CHARACTERIZATION	3
SEPA COMPLIANCE	8
PROPOSED PERMIT LIMITATIONS	8
TECHNOLOGY-BASED EFFLUENT LIMITATIONS	8
SURFACE WATER QUALITY-BASED EFFLUENT LIMITATIONS	8
Numerical Criteria for the Protection of Aquatic Life	8
Numerical Criteria for the Protection of Human Health	9
Narrative Criteria	9
Antidegradation	9
Critical Conditions	9
Mixing Zones	9
Description of the Receiving Water	10
Surface Water Quality Criteria	10
Whole Effluent Toxicity	10
Human Health	10
Sediment Quality	11
GROUND WATER QUALITY LIMITATIONS	11
COMPARISON OF EFFLUENT LIMITS WITH THE EXISTING PERMIT ISSUED AND NEW PROPOSED PERMIT	11
MONITORING REQUIREMENTS	11
LAB ACCREDITATION	12
OTHER PERMIT CONDITIONS	12
REPORTING AND RECORDKEEPING	12
SPILL PLAN	12
SOLID WASTE PLAN	13
GENERAL CONDITIONS	13
PERMIT ISSUANCE PROCEDURES	13
PERMIT MODIFICATIONS	13
RECOMMENDATION FOR PERMIT ISSUANCE	13
REFERENCES FOR TEXT AND APPENDICES	13
APPENDIX A--PUBLIC INVOLVEMENT INFORMATION	15
APPENDIX B--GLOSSARY	16

FACT SHEET FOR NPDES PERMIT WA0040363
NISBET OYSTER COMPANY

APPENDIX C--TECHNICAL CALCULATIONS	19
APPENDIX D--RESPONSE TO COMMENTS	20

INTRODUCTION

The Federal Clean Water Act (FCWA, 1972, and later modifications, 1977, 1981, and 1987) established water quality goals for the navigable (surface) waters of the United States. One of the mechanisms for achieving the goals of the Clean Water Act is the National Pollutant Discharge Elimination System of permits (NPDES), which is administered by the Environmental Protection Agency (EPA). The EPA has authorized the state of Washington to administer the NPDES permit program. Chapter 90.48 Revised Code of Washington (RCW) defines the Department of Ecology's (Department) authority and obligations in administering the wastewater discharge permit program.

The regulations adopted by the State include procedures for issuing permits (Chapter 173-220 Washington Administrative Code [WAC]), water quality criteria for surface and ground waters (Chapters 173-201A and 200 WAC), and sediment management standards (Chapter 173-204 WAC). These regulations require that a permit be issued before discharge of wastewater to waters of the state is allowed. The regulations also establish the basis for effluent limitations and other requirements which are to be included in the permit. One of the requirements (WAC 173-220-060) for issuing a permit under the NPDES permit program is the preparation of a draft permit and an accompanying fact sheet. Public notice of the availability of the draft permit is required at least 30 days before the permit is issued (WAC 173-220-050). The fact sheet and draft permit are available for review (see Appendix A--Public Involvement of the fact sheet for more detail on the Public Notice procedures).

The fact sheet and draft permit have been reviewed by the Permittee. Errors and omissions identified in this review have been corrected before going to public notice. After the public comment period has closed, the Department will summarize the substantive comments and the response to each comment. The summary and response to comments will become part of the file on the permit and parties submitting comments will receive a copy of the Department's response. The fact sheet will not be revised. Comments and the resultant changes to the permit will be summarized in Appendix D--Response to Comments.

GENERAL INFORMATION	
Applicant	Nisbet Oyster Co., Inc.
Facility Name and Address	P.O. Box 338 Bay Center, WA 98527
Type of Facility:	Seafood Processing Plant
SIC Code	2092
Discharge Locations	Waterbody name: Willapa Bay Latitude: 46° 57' 50" N Longitude: 123° 55' 31" W.
Water Body ID Number	11-24-04

BACKGROUND INFORMATION

DESCRIPTION OF THE FACILITY

HISTORY

Nisbet Oyster Company is located in Bay Center, Washington and it employs around fifty people at this facility. Nisbet Oyster Company, Inc. processes fresh, farmed oysters, shucked or in the shell, for sale in North America and overseas. The precise date this facility was built is unknown, but it was prior to the issuance of the previous permit on July 26, 1990. Nisbet Oyster Company has recently modernized their facility by replacing an older facility demolished when U.S. 101 was realigned (Figure 1). In 2001 and 2002, Nisbet Oyster Company expanded their operation in the North and the East of the existing facility. They also expanded their existing shucking operation and added a new method of operation to process the oysters called the high pressure process (Figure 2). According to the facility General Manager about ten to fifteen percent of the product is processed by the high pressure process method.

INDUSTRIAL PROCESS

Oysters are harvested from Willapa Bay and brought to the plant for processing. The volume processed depends on the market and the seasons, but it is usually between 200 to 1,000 gallons of shucked oysters per day. They grow oyster seeds in water holding tanks. The water in the tanks comes from Niawiakum River. Chemicals onsite are janitorial and are used for clean up. Clean up of this facility uses dry cleaning methods such as squeegeeing and sweeping to minimize water use. They reuse their processed oyster shells for the oyster farming. Nisbet Oysters uses manual labor to harvest ninety percent of the oyster farm. Manual harvesting is used to minimize any damage to the oysters.

DISCHARGE OUTFALLS

Nisbet Oysters has two outfalls, which discharge their screened wastewater to the Niawiakum River. Outfall 001 is located to the Northwest of the plant. Outfall 002 is located to the southeast of the plant. Outfall 001 is the original outfall, which collects the wastewater generated in the older part of the grading area (before the new addition in 2001 & 2002). The southeast outfall collects the wastewater from the new expanded area, which includes the new grading and high pressure process area.

PERMIT STATUS

The previous permit for this facility was issued on June 30, 2001. The previous permit placed effluent limitations on temperature, pH, total suspended solids and oil and grease.

An application for permit renewal was submitted to the Department on May 20, 2005, and accepted by the Department on May 26, 2005.

SUMMARY OF COMPLIANCE WITH THE PREVIOUS PERMIT

The facility last received an inspection on August 31, 2005. During the history of the previous permit, the Permittee has remained in compliance based on Discharge Monitoring Reports (DMRs) submitted to the Department and inspections conducted by the Department except Permittee has failed to submit the DMR report multiple times for the following parameter since the last permit was issued on June 30, 2001.

- 1) Fecal coliform (#/100 mL) was not reported for 07/01/01, and 03/01/04

FACT SHEET FOR NPDES PERMIT WA0040363
NISBET OYSTER COMPANY

- 2) Enterococci (#/100 mL) was not reported for 07/01/01, and 10/01/01
- 3) Oil and Grease (mg/L or lbs/day) was not reported for 10/01/01
- 4) Flow (GPD) was not reported for 03/01/04
- 5) Total production (lbs/day) was not reported for 03/01/04
- 6) As reported in the permit application, seventy five percent of the process flow is generated in the new part of the plant. The Permittee has failed to install effluent flow meter as well as a composite sampler as it was required in the permit dated June 30, 2001, and special condition S6.

WASTEWATER CHARACTERIZATION

The proposed wastewater discharge is characterized for the following regulated parameters:

Table 1: Wastewater Characterization

This industry has two outfalls (001 & 002), and apparently, they are reporting the wastewater characterization for outfall 001 only. The outfall 002 collects the screened wastewater from the newly added operations. The new operation includes the high pressure process oysters and the new added shucking operation. Table 1 shows the wastewater characteristics for outfall 001, submitted by Nisbet Oyster Company.

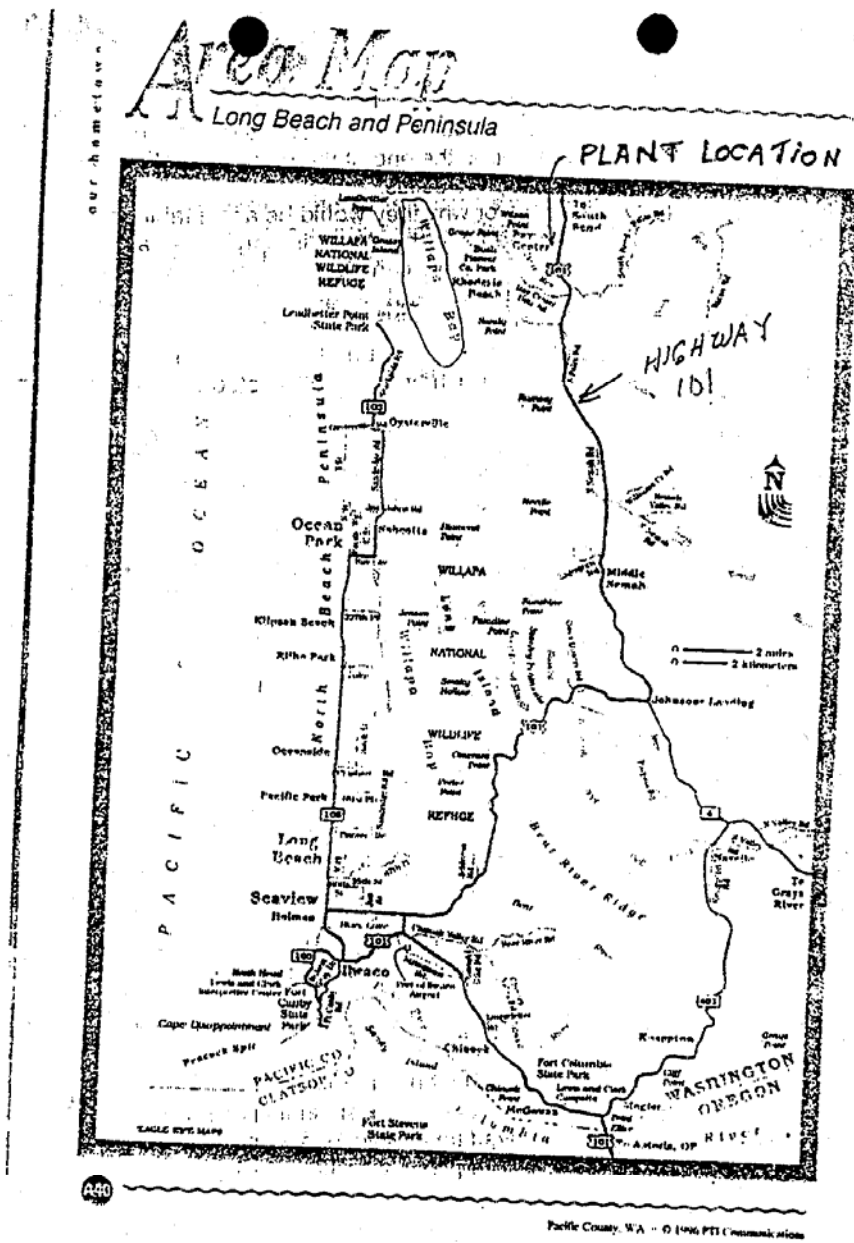
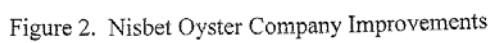


Figure 1. Nisbet Osyter Company Location

Page 5



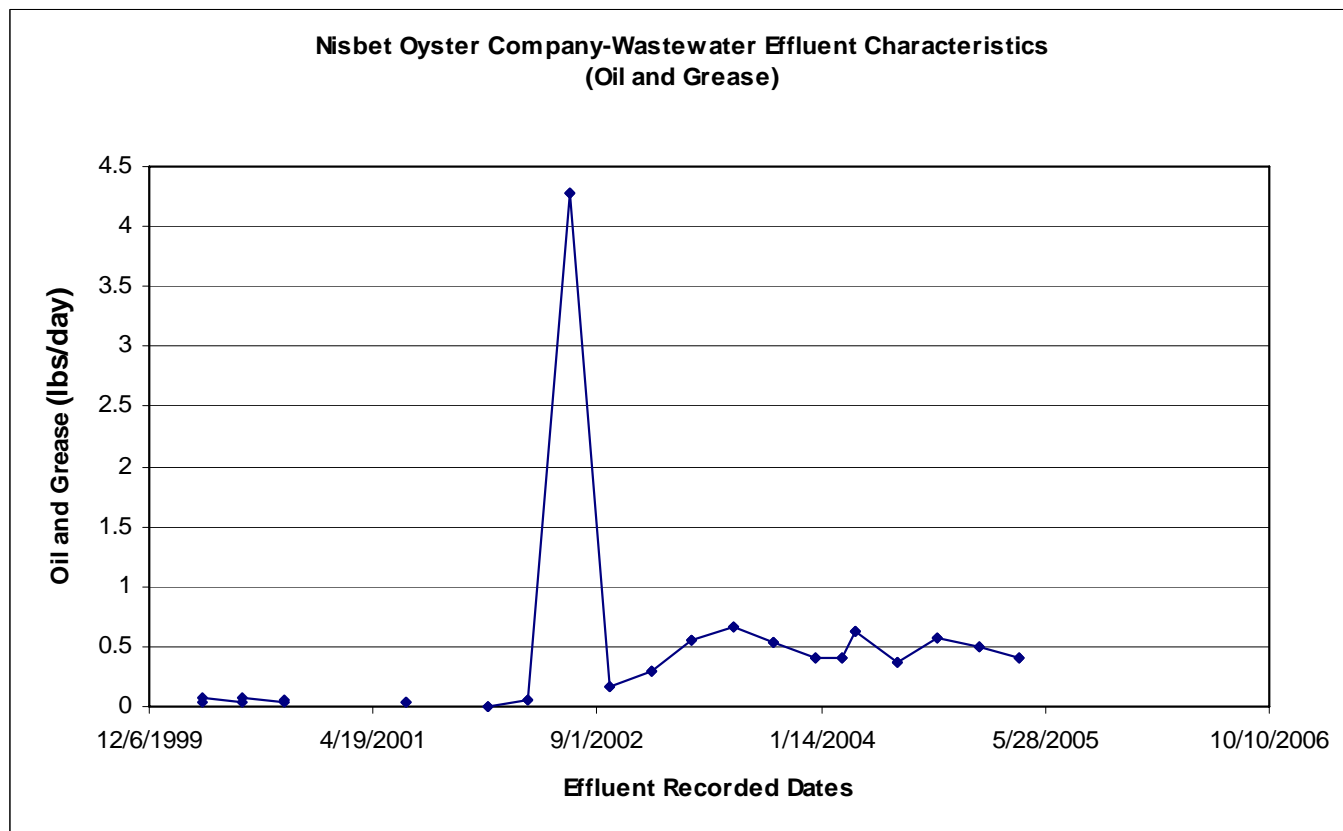
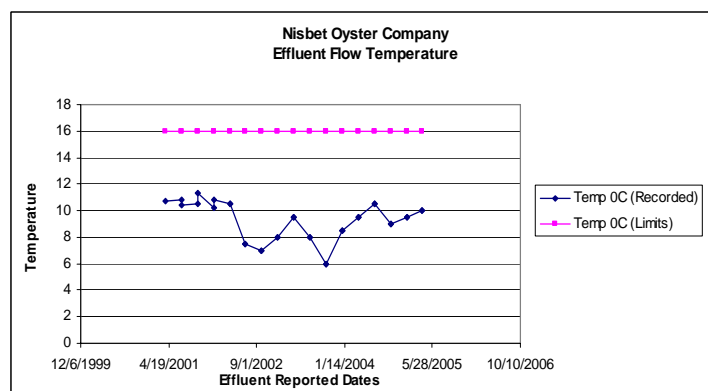
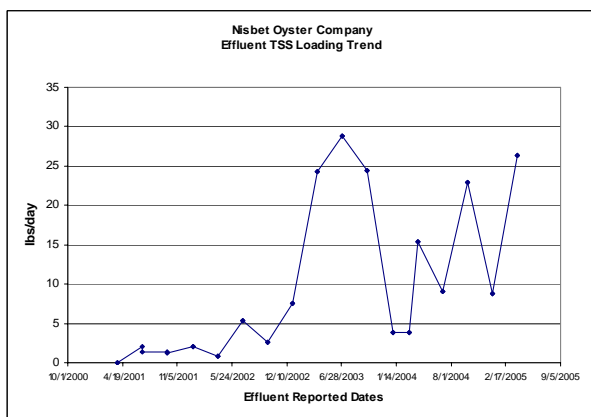
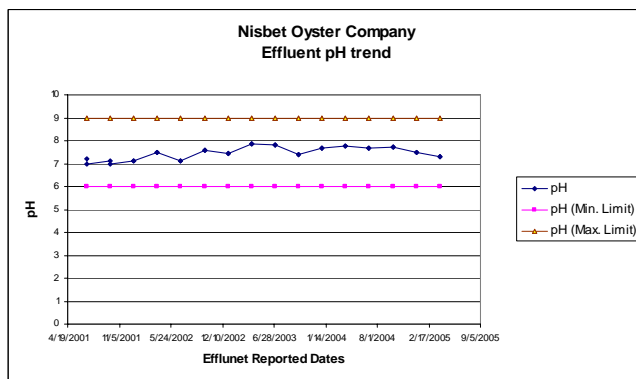
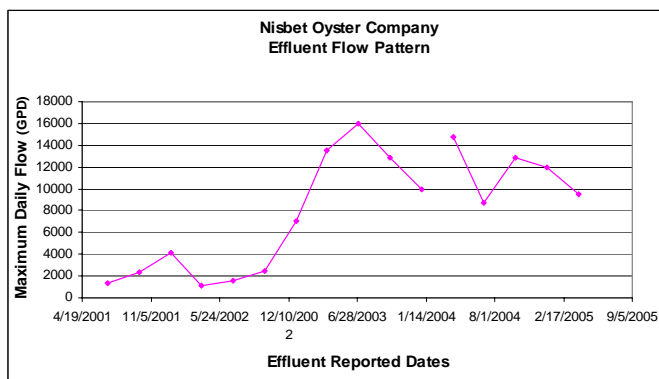
FACT SHEET FOR NPDES PERMIT WA0040363
NISBET OYSTER COMPANY

Table 1. – Outfall 001 Process Wastewater Characterization.

Parameter	Unit	Value
Flow, maximum daily	GPD	5,000
Temperature -Winter, maximum daily	⁰ C	9
Temperature -Winter, average monthly,	⁰ C	8.15
Temperature-Summer, maximum daily	⁰ C	11
Temperature-Summer, average monthly,	⁰ C	9.9
pH, minimum	S.U.	7.67
pH, maximum	S.U.	7.74
TSS, maximum daily	mg/L	333
O&G, maximum daily	mg/L	<5
BOD, maximum daily	mg/L	762

In addition to the Table 1 data submitted by the Permittee with the application renewal, the Department has conducted a database analysis based on Nisbet's DMRs for the outfall 001 for the last five years. The following figures show the trend for flow, pH, temperature, Total Suspended Solids and Oil & Grease. The current NPDES permit does not require reporting for Biochemical Oxygen Demand of the effluent.

FACT SHEET FOR NPDES PERMIT WA0040363
NISBET OYSTER COMPANY



SEPA COMPLIANCE

This is an existing facility and there are no known State Environmental Policy Act (SEPA) compliance issues.

PROPOSED PERMIT LIMITATIONS

Federal and State regulations require that effluent limitations set forth in a NPDES permit must be either technology- or water quality-based. Technology-based limitations are based upon the treatment methods available to treat specific pollutants. Technology-based limitations are set by regulation or developed on a case-by-case basis (40 CFR 125.3, and Chapter 173-220 WAC). Water quality-based limitations are based upon compliance with the Surface Water Quality Standards (Chapter 173-201A WAC), Ground Water Standards (Chapter 173-200 WAC), Sediment Quality Standards (Chapter 173-204 WAC) or the National Toxics Rule (Federal Register, Volume 57, No. 246, Tuesday, December 22, 1992). The more stringent of these two limits must be chosen for each of the parameters of concern. Each of these types of limits is described in more detail below.

The limits in this permit are based in part on information received in the application. The effluent constituents in the application were evaluated on a technology- and water quality-basis. The limits necessary to meet the rules and regulations of the state of Washington were determined and included in this permit. The Department does not develop effluent limits for all pollutants that may be reported on the application as present in the effluent. Some pollutants are not treatable at the concentrations reported, are not controllable at the source, are not listed in regulation, and do not have a reasonable potential to cause a water quality violation. Effluent limits are not always developed for pollutants that may be in the discharge but not reported as present in the application. In those circumstances the permit does not authorize discharge of the non-reported pollutants. Effluent discharge conditions may change from the conditions reported in the permit application. If significant changes occur in any constituent, as described in 40 CFR 122.42(a), the Permittee is required to notify the Department. The Permittee may be in violation of the permit until the permit is modified to reflect additional discharge of pollutants.

TECHNOLOGY-BASED EFFLUENT LIMITATIONS

Technology based limits are categorical limits taken from the Federal Register, subpart Y, Pacific Coast Hand –Shucked Oyster Subcategory 40 CFR 408.255 for, Total Suspended Solids, and Oil and Grease. pH and Fecal Coliform limits are taken from WAC 173-221-040(2).

SURFACE WATER QUALITY-BASED EFFLUENT LIMITATIONS

In order to protect existing water quality and preserve the designated beneficial uses of Washington's surface waters, WAC 173-201A-060 states that waste discharge permits shall be conditioned such that the discharge will meet established Surface Water Quality Standards. The Washington State Surface Water Quality Standards (Chapter 173-201A WAC) is a state regulation designed to protect the beneficial uses of the surface waters of the state. Surface water quality-based effluent limitations may be based on an individual waste load allocation (WLA) or on a WLA developed during a basin wide total maximum daily loading study (TMDL). The water quality based limit in this proposed permit are temperature and pH.

NUMERICAL CRITERIA FOR THE PROTECTION OF AQUATIC LIFE

"Numerical" water quality criteria are numerical values set forth in the state of Washington's Water Quality Standards for Surface Waters (Chapter 173-201A WAC). They specify the levels of pollutants allowed in receiving water while remaining protective of aquatic life. Numerical criteria set forth in the

FACT SHEET FOR NPDES PERMIT WA0040363
NISBET OYSTER COMPANY

Water Quality Standards are used along with chemical and physical data for the wastewater and receiving water to derive the effluent limits in the discharge permit. When surface water quality-based limits are more stringent or potentially more stringent than technology-based limitations, they must be used in a permit.

NUMERICAL CRITERIA FOR THE PROTECTION OF HUMAN HEALTH

The U.S. EPA has promulgated 91 numeric water quality criteria for the protection of human health that are applicable to Washington State (EPA 1992). These criteria are designed to protect humans from cancer and other disease and are primarily applicable to fish and shellfish consumption and drinking water from surface waters.

NARRATIVE CRITERIA

In addition to numerical criteria, "narrative" water quality criteria (WAC 173-201A-030) limit toxic, radioactive, or deleterious material concentrations below those which have the potential to adversely affect characteristic water uses, cause acute or chronic toxicity to biota, impair aesthetic values, or adversely affect human health. Narrative criteria protect the specific beneficial uses of all fresh (WAC 173-201A-130) and marine (WAC 173-201A-140) waters in the state of Washington.

ANTIDEGRADATION

The state of Washington's Antidegradation Policy requires that discharges into receiving water shall not further degrade the existing water quality of the water body. In cases where the natural conditions of a receiving water are of lower quality than the criteria assigned, the natural conditions shall constitute the water quality criteria. Similarly, when the natural conditions of a receiving water are of higher quality than the criteria assigned, the natural conditions shall be protected. More information on the State Antidegradation Policy can be obtained by referring to WAC 173-201A-070.

The Department has reviewed existing records and is unable to determine if ambient water quality is either higher or lower than the designated classification criteria given in Chapter 173-201A WAC; therefore, the Department will use the designated classification criteria for this water body in the proposed permit. The discharge authorized by this permit should not cause a loss of beneficial uses.

CRITICAL CONDITIONS

Surface water quality-based limits are derived for the waterbody's critical condition, which represents the receiving water and waste discharge condition with the highest potential for adverse impact on the aquatic biota, human health, and existing or characteristic water body uses.

MIXING ZONES

The Water Quality Standards allow the Department to authorize mixing zones around a point of discharge in establishing surface water quality-based effluent limits. Both "acute" and "chronic" mixing zones may be authorized for pollutants that can have a toxic effect on the aquatic environment near the point of discharge. The concentration of pollutants at the boundary of these mixing zones may not exceed the numerical criteria for that type of zone. Mixing zones can only be authorized for discharges that are receiving all known, available, and reasonable methods of prevention, control and treatment (AKART) and in accordance with other mixing zone requirements of WAC 173-201A-100.

FACT SHEET FOR NPDES PERMIT WA0040363
NISBET OYSTER COMPANY

The National Toxics Rule (EPA, 1992) allows the chronic mixing zone to be used to meet human health criteria. Nisbet Oyster Company does not have an authorized mixing zone.

DESCRIPTION OF THE RECEIVING WATER

Nisbet Oyster Company has two outfalls (001 and 002), which discharge their process wastewater to the Niawiakum River, which is designated as a "Class A" marine water body for the purpose of application of state water quality standards. Characteristics uses include: water supply (domestic, industrial, agricultural); stock watering, fish migration, fish and shellfish rearing, spawning and harvesting, wildlife habitat, primary contact recreation, sport fishing, boating and aesthetic enjoyment, commerce and navigation. Water quality of this class shall meet or exceed the requirements for all or substantially all uses.

SURFACE WATER QUALITY CRITERIA

Application criteria are defined in Chapter 173-201A WAC for aquatic biota. In addition, U.S. EPA has promulgated human health criteria for toxic pollutants (EPA 1992). Criteria for this discharge are summarized below:

Fecal Coliforms	14 organisms/100 mL maximum geometric mean
Dissolved Oxygen	7 mg/L minimum
Temperature	16 degrees Celsius maximum or incremental increases above background
pH	7.0 to 8.5 standard units
Turbidity	less than 5 NTU above background
Toxics	No toxics in toxic amounts

WHOLE EFFLUENT TOXICITY

The Water Quality Standards for Surface Waters require that the effluent not cause toxic effects in the receiving waters. Many toxic pollutants cannot be detected by commonly available detection methods. However, toxicity can be measured directly by exposing living organisms to the wastewater in laboratory tests and measuring the response of the organisms. Toxicity tests measure the aggregate toxicity of the whole effluent, and therefore this approach is called whole effluent toxicity (WET) testing.

Toxicity caused by unidentified pollutants is not expected in the effluent from this discharge as determined by the screening criteria given in Chapter 173-205 WAC. Therefore, no whole effluent toxicity testing is required in this permit. The Department may require effluent toxicity testing in the future if it receives information that toxicity may be present in this effluent.

HUMAN HEALTH

Washington's water quality standards now include 91 numeric health-based criteria that must be considered in NPDES permits. These criteria were promulgated for the state by the U.S. EPA in its National Toxics Rule (Federal Register, Volume 57, No. 246, Tuesday, December 22, 1992).

The Department has determined that the applicant's discharge is unlikely to contain chemicals regulated for human health.

SEDIMENT QUALITY

The Department has promulgated aquatic sediment standards (Chapter 173-204 WAC) to protect aquatic biota and human health. These standards state that the Department may require Permittee's to evaluate the potential for the discharge to cause a violation of applicable standards (WAC 173-204-400).

The Department has determined through a review of the discharger characteristics and effluent characteristics that this discharge has no reasonable potential to violate the Sediment Management Standards because it does not discharge to a water body directly.

GROUND WATER QUALITY LIMITATIONS

The Department has promulgated Ground Water Quality Standards (Chapter 173-200 WAC) to protect beneficial uses of ground water. Permits issued by the Department shall be conditioned in such a manner so as not to allow violations of those standards (WAC 173-200-100).

This Permittee has no discharge to ground and therefore no limitations are required based on potential effects to ground water.

COMPARISON OF EFFLUENT LIMITS WITH THE EXISTING PERMIT ISSUED AND NEW PROPOSED PERMIT

The effluent limits for this permit has not changed substantially from the existing permit. The only major change is the pH limit. The proposed pH limit is based on surface water quality standards established for the state of Washington surface waters. The proposed pH limit is 7.0-8.5 and it is more specific and represents an "Excellent" category of surface water in Washington.

Parameter	Existing Limits	Proposed Limits
Flow, Average, (GPD)	None	None
Flow Maximum, (GPD)	None	None
Temperature, Maximum	16 °C	16 °C
pH	6.0 - 9.0 S.U.	7.0 - 8.5 S.U
Total Suspended Solids, Average	36 lbs/1,000 lbs production	36 lbs/1,000 lbs production
Total Suspended Solids, Maximum	45 lbs/1,000 lbs production	45 lbs/ 1,000 lbs production
Oil and Grease, Average	1.70 lbs/1,000lbs production	1.70 lbs/1,000 lbs
Oil and Grease, Maximum	2.2 lbs/1,000 lbs	2.2 lbs/1,000 lbs
Fecal Coliform, Average	Report	Report
Fecal Coliform, Maximum	Report	Report

MONITORING REQUIREMENTS

Monitoring, recording, and reporting are required (WAC 173-220-210 and 40 CFR 122.41) to verify that the treatment process is functioning correctly and the effluent limitations are being achieved.

The monitoring schedule is detailed in the proposed permit under Condition S2. Specified monitoring frequencies take into account the quantity and variability of the discharge, the treatment method, past compliance, significance of pollutants, and cost of monitoring.

On the renewal application submitted on May 26, 2005, it indicates the major portion of the seafood processing wastewater is directed to outfall 002. Therefore, the Permittee needs to submit wastewater characterization for outfall 002 and still continue to submit wastewater characterization for outfall 001. The monitoring time period for outfall 001 and 002 should be the same as identified in condition S2. of this permit. The wastewater monitoring must be submitted for a two year period in order to analyze the wastewater characterization for both outfalls. After two year data evaluation, the Department will re-evaluate the necessity of the monitoring of both outfalls.

LAB ACCREDITATION

With the exception of certain parameters the permit requires all monitoring data to be prepared by a laboratory registered or accredited under the provisions of Chapter 173-50 WAC, *Accreditation of Environmental Laboratories*

OTHER PERMIT CONDITIONS

REPORTING AND RECORDKEEPING

The conditions of S3. are based on the authority to specify any appropriate reporting and recordkeeping requirements to prevent and control waste discharges (WAC 173-220-210).

NON-ROUTINE AND UNANTICIPATED DISCHARGES

Occasionally, this facility may generate wastewater which is not characterized in their permit application because it is not a routine discharge and was not anticipated at the time of application. These typically are waters used to pressure test storage tanks or fire water systems or leaks from drinking water systems. These are typically clean waste waters but may be contaminated with pollutants. The permit contains an authorization for non-routine and unanticipated discharges. The permit requires a characterization of these waste waters for pollutants and examination of the opportunities for reuse. Depending on the nature and extent of pollutants in this wastewater and opportunities for reuse, the Department may authorize a direct discharge via the process wastewater outfall or through a stormwater outfall for clean water, require the wastewater to be placed through the facilities wastewater treatment process or require the water to be reused.

SPILL PLAN

The Department has determined that the Permittee stores a quantity of chemicals that have the potential to cause water pollution if accidentally released. The Department has the authority to require the Permittee to develop best management plans to prevent this accidental release under section 402(a)(1) of the Federal Water Pollution Control Act (FWPCA) and RCW 90.48.080.

The proposed permit requires the Permittee to develop and implement a plan for preventing the accidental release of pollutants to state waters and for minimizing damages if such a spill occurs.

SOLID WASTE PLAN

The Department has determined that the Permittee has a potential to cause pollution of the waters of the state from leachate of solid waste.

This proposed permit requires, under authority of RCW 90.48.080, that the Permittee develop a solid waste plan to prevent solid waste from causing pollution of waters of the state. The plan must be submitted to the local permitting agency for approval, if necessary, and to the Department.

GENERAL CONDITIONS

General Conditions are based directly on state and federal law and regulations and have been standardized for all individual industrial NPDES permits issued by the Department.

PERMIT ISSUANCE PROCEDURES

PERMIT MODIFICATIONS

The Department may modify this permit to impose numerical limitations, if necessary to meet Water Quality Standards for Surface Waters, Sediment Quality Standards, or Water Quality Standards for Ground Waters, based on new information obtained from sources such as inspections, effluent monitoring, outfall studies, and effluent mixing studies.

The Department may also modify this permit as a result of new or amended state or federal regulations.

RECOMMENDATION FOR PERMIT ISSUANCE

This proposed permit meets all statutory requirements for authorizing a wastewater discharge, including those limitations and conditions believed necessary to control toxics, protect human health, aquatic life, and the beneficial uses of waters of the state of Washington. The Department proposes that this proposed permit be issued for five years.

REFERENCES FOR TEXT AND APPENDICES

Environmental Protection Agency (EPA)

1992. National Toxics Rule. Federal Register, V. 57, No. 246, Tuesday, December 22, 1992.

1991. Technical Support Document for Water Quality-based Toxics Control. EPA/505/2-90-001.

1988. Technical Guidance on Supplementary Stream Design Conditions for Steady State Modeling. USEPA Office of Water, Washington, D.C.

1985. Water Quality Assessment: A Screening Procedure for Toxic and Conventional Pollutants in Surface and Ground Water. EPA/600/6-85/002a.

1983. Water Quality Standards Handbook. USEPA Office of Water, Washington, D.C.

Tsivoglou, E.C., and J.R. Wallace.

1972. Characterization of Stream Reaeration Capacity. EPA-R3-72-012. (Cited in EPA 1985 op.cit.)

FACT SHEET FOR NPDES PERMIT WA0040363
NISBET OYSTER COMPANY

Washington State Department of Ecology.

1994. Permit Writer's Manual. Publication Number 92-109

Washington State Department of Ecology.

Laws and Regulations (<http://www.ecy.wa.gov/laws-rules/index.html>)

Permit and Wastewater Related Information
(<http://www.ecy.wa.gov/programs/wq/wastewater/index.html>)

Wright, R.M., and A.J. McDonnell.

1979. In-stream Deoxygenation Rate Prediction. Journal Environmental Engineering Division, ASCE. 105(E2). (Cited in EPA 1985 op.cit.)

APPENDIX A--PUBLIC INVOLVEMENT INFORMATION

The Department has tentatively determined to reissue a permit to the applicant listed on page 1 of this fact sheet. The permit contains conditions and effluent limitations which are described in the rest of this fact sheet.

Public notice of application was published on June 22, 2005, and June 29, 2005, in the *Chinook Observer* to inform the public that an application had been submitted and to invite comment on the reissuance of this permit.

The Department will publish a Public Notice of Draft (PNOD) on January 25, 2006 in the *Chinook Observer* to inform the public that a draft permit and fact sheet are available for review. Interested persons are invited to submit written comments regarding the draft permit. The draft permit, fact sheet, and related documents are available for inspection and copying between the hours of 8:00 a.m. and 5:00 p.m. weekdays, by appointment, at the regional office listed below. Written comments should be mailed to:

Industrial Unit Permit Coordinator
Department of Ecology
Southwest Regional Office
P.O. Box 47775
Olympia, WA 98504-7775

Any interested party may comment on the draft permit or request a public hearing on this draft permit within the 30 day comment period to the address above. The request for a hearing shall indicate the interest of the party and reasons why the hearing is warranted. The Department will hold a hearing if it determines there is a significant public interest in the draft permit (WAC 173-220-090). Public notice regarding any hearing will be circulated at least 30 days in advance of the hearing. People expressing an interest in this permit will be mailed an individual notice of hearing (WAC 173-220-100).

Comments should reference specific text followed by proposed modification or concern when possible. Comments may address technical issues, accuracy and completeness of information, the scope of the facility's proposed coverage, adequacy of environmental protection, permit conditions, or any other concern that would result from issuance of this permit.

The Department will consider all comments received within 30 days from the date of public notice of draft indicated above, in formulating a final determination to issue, revise, or deny the permit. The Department's response to all significant comments is available upon request and will be mailed directly to people expressing an interest in this permit.

Further information may be obtained from the Department by telephone, (360) 407-6290, or by writing to the address listed above.

This permit and fact sheet were written by Aziz Mahar, P.E.

APPENDIX B--GLOSSARY

Acute Toxicity--The lethal effect of a compound on an organism that occurs in a short period of time, usually 48 to 96 hours.

AKART-- An acronym for "all known, available, and reasonable methods of treatment".

Ambient Water Quality--The existing environmental condition of the water in a receiving water body.

Ammonia--Ammonia is produced by the breakdown of nitrogenous materials in wastewater. Ammonia is toxic to aquatic organisms, exerts an oxygen demand, and contributes to eutrophication. It also increases the amount of chlorine needed to disinfect wastewater.

Average Monthly Discharge Limitation --The average of the measured values obtained over a calendar month's time.

Best Management Practices (BMPs)--Schedules of activities, prohibitions of practices, maintenance procedures, and other physical, structural and/or managerial practices to prevent or reduce the pollution of waters of the State. BMPs include treatment systems, operating procedures, and practices to control: plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. BMPs may be further categorized as operational, source control, erosion and sediment control, and treatment BMPs.

BOD₅--Determining the Biochemical Oxygen Demand of an effluent is an indirect way of measuring the quantity of organic material present in an effluent that is utilized by bacteria. The BOD₅ is used in modeling to measure the reduction of dissolved oxygen in a receiving water after effluent is discharged. Stress caused by reduced dissolved oxygen levels makes organisms less competitive and less able to sustain their species in the aquatic environment. Although BOD is not a specific compound, it is defined as a conventional pollutant under the federal Clean Water Act.

Bypass--The intentional diversion of waste streams from any portion of a treatment facility.

Chlorine--Chlorine is used to disinfect wastewaters of pathogens harmful to human health. It is also extremely toxic to aquatic life.

Chronic Toxicity--The effect of a compound on an organism over a relatively long time, often 1/10 of an organism's lifespan or more. Chronic toxicity can measure survival, reproduction or growth rates, or other parameters to measure the toxic effects of a compound or combination of compounds.

Clean Water Act (CWA)--The Federal Water Pollution Control Act enacted by Public Law 92-500, as amended by Public Laws 95-217, 95-576, 96-483, 97-117; USC 1251 et seq.

Compliance Inspection - Without Sampling--A site visit for the purpose of determining the compliance of a facility with the terms and conditions of its permit or with applicable statutes and regulations.

Compliance Inspection - With Sampling--A site visit to accomplish the purpose of a Compliance Inspection - Without Sampling and as a minimum, sampling and analysis for all parameters with limits in the permit to ascertain compliance with those limits; and, for municipal facilities, sampling of influent to ascertain compliance with the eighty five percent removal requirement. Additional sampling may be conducted.

Composite Sample--A mixture of grab samples collected at the same sampling point at different times, formed either by continuous sampling or by mixing discrete samples. May be "time-composite" (collected at constant time intervals) or "flow-proportional" (collected either as a constant sample volume at time intervals proportional to stream flow, or collected by increasing the volume of each aliquot as the flow increased while maintaining a constant time interval between the aliquots.)

Construction Activity--Clearing, grading, excavation and any other activity which disturbs the surface of the land. Such activities may include road building, construction of residential houses, office buildings, or industrial buildings, and demolition activity.

Continuous Monitoring --Uninterrupted, unless otherwise noted in the permit.

Critical Condition--The time during which the combination of receiving water and waste discharge conditions have the highest potential for causing toxicity in the receiving water environment. This situation usually occurs when the flow within a water body is low, thus, its ability to dilute effluent is reduced.

Dilution Factor--A measure of the amount of mixing of effluent and receiving water that occurs at the boundary of the mixing zone. Expressed as the inverse of the percent effluent fraction e.g., a dilution factor of 10 means the effluent comprises ten percent by volume and the receiving water ninety percent.

Engineering Report--A document which thoroughly examines the engineering and administrative aspects of a particular domestic or industrial wastewater facility. The report shall contain the appropriate information required in WAC 173-240-060 or 173-240-130.

Fecal Coliform Bacteria--Fecal coliform bacteria are used as indicators of pathogenic bacteria in the effluent that are harmful to humans. Pathogenic bacteria in wastewater discharges are controlled by disinfecting the wastewater. The presence of high numbers of fecal coliform bacteria in a water body can indicate the recent release of untreated wastewater and/or the presence of animal feces.

Grab Sample--A single sample or measurement taken at a specific time or over as short period of time as is feasible.

Industrial Wastewater--Water or liquid-carried waste from industrial or commercial processes, as distinct from domestic wastewater. These wastes may result from any process or activity of industry, manufacture, trade or business, from the development of any natural resource, or from animal operations such as feed lots, poultry houses, or dairies. The term includes contaminated storm water and, also, leachate from solid waste facilities.

Major Facility--A facility discharging to surface water with an EPA rating score of > 80 points based on such factors as flow volume, toxic pollutant potential, and public health impact.

Maximum Daily Discharge Limitation--The highest allowable daily discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. The daily discharge is calculated as the average measurement of the pollutant over the day.

Method Detection Level (MDL)--The minimum concentration of a substance that can be measured and reported with ninety-nine percent confidence that the analyte concentration is above zero and is determined from analysis of a sample in a given matrix containing the analyte.

Minor Facility--A facility discharging to surface water with an EPA rating score of < 80 points based on such factors as flow volume, toxic pollutant potential, and public health impact.

Mixing Zone--An area that surrounds an effluent discharge within which water quality criteria may be exceeded. The area of the authorized mixing zone is specified in a facility's permit and follows procedures outlined in state regulations (Chapter 173-201A WAC).

National Pollutant Discharge Elimination System (NPDES)--The NPDES (Section 402 of the Clean Water Act) is the Federal wastewater permitting system for discharges to navigable waters of the United States. Many states, including the state of Washington, have been delegated the authority to issue these permits. NPDES permits issued by Washington State permit writers are joint NPDES/State permits issued under both State and Federal laws.

pH--The pH of a liquid measures its acidity or alkalinity. A pH of 7.0 is defined as neutral, and large variations above or below this value are considered harmful to most aquatic life.

Quantitation Level (QL)-- A calculated value five times the MDL (method detection level).

Responsible Corporate Officer-- A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or have gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures (40 CFR 122.22).

Technology-based Effluent Limit--A permit limit that is based on the ability of a treatment method to reduce the pollutant.

Total Suspended Solids (TSS)--Total suspended solids is the particulate material in an effluent. Large quantities of TSS discharged to a receiving water may result in solids accumulation. Apart from any toxic effects attributable to substances leached out by water, suspended solids may kill fish, shellfish, and other aquatic organisms by causing abrasive injuries and by clogging the gills and respiratory passages of various aquatic fauna. Indirectly, suspended solids can screen out light and can promote and maintain the development of noxious conditions through oxygen depletion.

State Waters--Lakes, rivers, ponds, streams, inland waters, underground waters, salt waters, and all other surface waters and watercourses within the jurisdiction of the state of Washington.

Stormwater--That portion of precipitation that does not naturally percolate into the ground or evaporate, but flows via overland flow, interflow, pipes, and other features of a storm water drainage system into a defined surface water body, or a constructed infiltration facility.

Upset--An exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the Permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, lack of preventative maintenance, or careless or improper operation.

Water Quality-based Effluent Limit--A limit on the concentration of an effluent parameter that is intended to prevent the concentration of that parameter from exceeding its water quality criterion after it is discharged into a receiving water.

APPENDIX C--TECHNICAL CALCULATIONS

APPENDIX D--RESPONSE TO COMMENTS

No public comments were received.